

From: James Jones
To: Microsoft ATR
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Subject: Microsoft Settlement

I hope that you will reject the toothless settlement of the (current) Microsoft antitrust trial; it sounds good in some ways, but the devil is in the details:

- The disclosure requirements very carefully let Microsoft avoid disclosure to Open Source software writers, who are a major source of alternatives to Microsoft products.
- Concerns have even been raised that the language of the settlement allows Microsoft to evade disclosure of its API (Application Program Interface). Microsoft has in the past modified its API as implemented in win32s.dll with the sole intent of breaking compatibility with OS/2, and it has considerable motivation to make similar changes with the sole goal of breaking compatibility libraries such as WINE, Odin, and competing products such as Lindows.
- The settlement does nothing to prevent Microsoft's "embrace and extend" tactics that allow it to subvert public standards and perceived threats such as Java.
- The settlement does not prevent Microsoft from retaliating against OEMs that wish to offer computers without any operating system so that the purchaser may choose whatever operating system he or she wishes to run.
- The settlement does nothing to allow competing software to use files with proprietary Microsoft formats, such as Microsoft Word (.doc) files.

Microsoft is notorious for blatantly ignoring prior antitrust settlements, and I have no reason to suppose that it will not do the same with this one.

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